

AMENDED IN SENATE AUGUST 9, 2016

AMENDED IN SENATE AUGUST 4, 2016

AMENDED IN ASSEMBLY APRIL 14, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1624

Introduced by Committee on Budget (Assembly Members Ting (Chair), Bloom, Bonta, Campos, Chiu, Cooper, Gordon, Holden, Irwin, McCarty, Mullin, Nazarian, O'Donnell, Rodriguez, Thurmond, and Williams)

January 7, 2016

An act to amend ~~Section 44393~~ *Sections 44393, 52071, and 52071.5* of the Education Code, to amend Section 65057 of the Government Code, to amend Sections 10507.8 and 20651.7 of the Public Contract Code, and to amend Section 34 of Chapter 24 of, ~~and to amend Section 39 of Chapter 29 of, and to amend Section 46 of Chapter 29 of,~~ the Statutes of 2016, relating to education, and making an appropriation therefor, to take effect immediately, bill related to the budget.

LEGISLATIVE COUNSEL'S DIGEST

AB 1624, as amended, Committee on Budget. Education.

(1) Existing law establishes the California Classified School Employee Teacher Credentialing Program for the purpose of recruiting classified school employees to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools. Subject to an appropriation for these purposes, existing law requires the Commission on Teacher Credentialing, among other things, to adopt criteria for the selection of school districts, charter schools, or county offices of

education to participate in the program. Existing law requires that criteria to include the extent to which the applicant's plan for recruitment attempts to meet the demand for teachers in shortage areas, as specified.

This bill would add to that criteria the extent to which the applicant's plan for recruitment attempts to meet the demand for bilingual cross-cultural teachers.

(2) Existing law, if a county superintendent of schools does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a governing board of a school district, or if the governing board of a school district requests technical assistance, requires the county superintendent of schools to provide technical assistance, including, among other things, requesting that the Superintendent of Public Instruction assign the California Collaborative for Educational Excellence to provide advice and assistance to the school district. Existing law, if the Superintendent does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a county board of education, or if the county board of education requests technical assistance, requires the Superintendent to provide technical assistance, including, among other things, the assignment of the collaborative to assist the county board of education in identifying and implementing effective programs that are designed to improve the outcomes for specified pupil subgroups.

This bill would instead authorize the county superintendent of schools to directly request the collaborative to provide advice and assistance to the school district and would instead authorize the Superintendent to request the collaborative to provide assistance to the county board of education.

~~(2)~~

(3) Existing law establishes, until January 1, 2020, the California Initiative to Advance Precision Medicine under the administration of the Office of Planning and Research in the Governor's Office for the purpose of developing, implementing, awarding funding to, and evaluating demonstration projects on precision medicine in collaboration with public, nonprofit, and private entities, as specified.

This bill would exempt the office's implementation and interpretation of the California Initiative to Advance Precision Medicine from the Administrative Procedure Act.

~~(3)~~

(4) Existing law requires the Regents of the University of California, except as provided, to let all contracts involving an expenditure of more than \$100,000 annually for goods and materials or services to the lowest responsible bidder meeting certain specifications, or to reject all bids. Existing law requires the governing board of any community college district to let specified contracts involving an expenditure of more than \$50,000 to the lowest responsible bidder meeting certain specifications, or else to reject all bids. Existing law provides that, before the repeal date of January 1, 2018, the bid evaluation and selection for these contracts may be determined by the best value for the University of California or community college district, as specified. Existing law requires the Legislative Analyst to report, on or before February 1, 2017, to the Legislature regarding the use of best value procurement by the University of California and community college districts.

This bill would make that repeal date January 1, 2019, and would make the deadline for the reports regarding the University of California and a community college district's use of best value procurement on or before February 1, 2018.

~~(4)~~

(5) The California Library Services Act establishes the California Library Services Board and provides that its duties include, among other things, adopting rules, regulations, and general policies relating to the implementation of the act. Existing law appropriates \$3,000,000 from the General Fund to the California State Library for allocation, as specified. Existing law requires the California State Library, on or before September 1, 2017, to submit a specified report on the use of those funds to the Director of Finance and the Legislature.

This bill would remove a redundant provision from that reporting law.

~~(5)~~

(6) Existing law appropriates \$18,000,000 from the General Fund to the State Department of Education for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction. Existing law requires the Superintendent to allocate the funds to local educational agencies as grants for dropout and truancy prevention programs pursuant to legislation enacted in the 2015–16 Regular Session.

This bill would authorize the department to use up to \$300,000, of the \$18,000,000 appropriated, to contract with a local educational agency for the purpose of conducting regional meetings, training, and other

technical assistance activities as needed to support the grantees receiving grant moneys for dropout and truancy prevention programs pursuant to legislation enacted in the 2015–16 Regular Session and pursuant to the development and submission of an expenditure plan, as specified. By expanding the purposes of an existing appropriation, the bill would make an appropriation.

(7) *Existing law establishes the California Collaborative for Educational Excellence for purposes of advising and assisting school districts, county superintendents of schools, and charter schools in achieving the goals set forth in a local control and accountability plan. Existing law requires the collaborative, commencing with the 2016–17 fiscal year, to establish, using a specified amount of appropriated moneys, a statewide process to provide specified professional development training to school districts, county offices of education, and charter schools for the purpose of successfully utilizing the evaluation rubrics adopted by the State Board of Education. Existing law requires the governing board of the collaborative to submit an implementation plan to the relevant policy and fiscal committees of the Legislature, the Director of Finance, and the Legislative Analyst’s Office within 30 days of the state board’s adoption of the evaluation rubrics, as specified.*

This bill would require that implementation plan to additionally include information detailing the implementation timeline and budget for the program, as specified, would prohibit funds from being expended pursuant to the plan before the implementation plan is approved by the Department of Finance, and would require that any subsequent plan updates are subject to the approval of the Department of Finance.

(8) *Existing law requires the California Collaborative for Educational Excellence, during the 2016–17 and 2017–18 fiscal years, to implement a pilot program that will inform its long-term efforts to advise and assist school districts, county superintendents of schools, and charter schools in improving pupil outcomes. Existing law requires the governing board of the collaborative to submit to the relevant policy and fiscal committees of the Legislature, the Director of Finance, and the Legislative Analyst’s Office an implementation plan for the pilot program on or before August 15, 2016, as specified.*

This bill would extend that deadline for the implementation plan to be submitted until the earlier of October 15, 2016, or the 10th day after the next scheduled meeting of the governing board of the collaborative following the effective date of this act. The bill would require that

implementation plan to additionally include information detailing the implementation timeline and budget for the program, as specified, would prohibit funds from being expended pursuant to the plan before the implementation plan is approved by the Department of Finance, and would require that any subsequent plan updates are subject to the approval of the Department of Finance.

~~(6)~~

(9) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 44393 of the Education Code is amended
2 to read:

3 44393. (a) The California Classified School Employee Teacher
4 Credentialing Program is hereby established for the purpose of
5 recruiting classified school employees to participate in a program
6 designed to encourage them to enroll in teacher training programs
7 and to provide instructional service as teachers in the public
8 schools.

9 (b) Subject to an appropriation for these purposes in the annual
10 Budget Act or another statute, the commission shall issue a request
11 for proposals to all school districts, charter schools, and county
12 offices of education in the state in order to solicit applications for
13 funding. The criteria adopted by the commission for the selection
14 of school districts, charter schools, or county offices of education
15 to participate in the program shall include all of the following:

16 (1) The extent to which the applicant demonstrates the capacity
17 and willingness to accommodate the participation of classified
18 school employees in teacher training programs conducted at
19 institutions of higher education or a local educational agency.

20 (2) The extent to which the applicant's plan for the
21 implementation of its recruitment program involves the active
22 participation of one or more local campuses of the participating
23 institutions of higher education in the development of coursework
24 and teaching programs for participating classified school
25 employees. Each selected applicant shall be required to enter into

1 a written articulation agreement with the participating campuses
2 of the institutions of higher education.

3 (3) The extent to which the applicant's plan for recruitment
4 attempts to meet the demand for bilingual cross-cultural teachers
5 and teachers in shortage areas in transitional kindergarten,
6 kindergarten, and grades 1 to 12, inclusive.

7 (4) The extent to which a developmentally sequenced series of
8 job descriptions leads from an entry-level classified school
9 employee position to an entry-level teaching position in that school
10 district, charter school, or county office of education.

11 (5) The extent to which the applicant's plan for recruitment
12 attempts to meet its own specific teacher needs.

13 (c) An applicant that is selected to participate pursuant to
14 subdivision (b) shall provide information about the program to all
15 eligible classified school employees in the school district, charter
16 school, or county office of education and assistance to each
17 classified school employee it recruits under the program regarding
18 admission to a teacher training program.

19 (d) (1) An applicant shall require participants to satisfy both
20 of the following requirements before participating in the program:

21 (A) Pass a criminal background check.

22 (B) Provide verification of one of the following:

23 (i) Has earned an associate or higher level degree.

24 (ii) Has successfully completed at least two years of study at a
25 postsecondary educational institution.

26 (2) An applicant shall certify that it has received a commitment
27 from each participant that he or she will accomplish all of the
28 following:

29 (A) Graduate from an institution of higher education under the
30 program with a bachelor's degree.

31 (B) Complete all of the requirements for, and obtain, a multiple
32 subject, single subject, or education specialist teaching credential.

33 (C) Complete one school year of classroom instruction in the
34 school district, charter school, or county office of education for
35 each year that he or she receives assistance for books, fees, and
36 tuition while attending an institution of higher education under the
37 program.

38 (e) The commission shall contract with an independent evaluator
39 with a proven record of experience in assessing teacher training
40 programs to conduct an evaluation to determine the success of the

1 program. The evaluation shall be completed on or before July 1,
2 2021. The commission shall submit the completed evaluation to
3 the Governor and the education policy and fiscal committees of
4 the Assembly and Senate.

5 (f) On or before January 1 of each year, the commission shall
6 report to the Legislature regarding the status of the program,
7 including, but not limited to, the number of classified school
8 employees recruited, the academic progress of the classified school
9 employees recruited, the number of classified school employees
10 recruited who are subsequently employed as teachers in the public
11 schools, the degree to which the applicant meets the teacher
12 shortage needs of the school district, charter school, or county
13 office of education, and the ethnic and racial composition of the
14 participants in the program. The report shall be made in
15 conformance with Section 9795 of the Government Code.

16 *SEC. 2. Section 52071 of the Education Code is amended to*
17 *read:*

18 52071. (a) If a county superintendent of schools does not
19 approve a local control and accountability plan or annual update
20 to the local control and accountability plan approved by a
21 governing board of a school district, or if the governing board of
22 a school district requests technical assistance, the county
23 superintendent of schools shall provide technical assistance,
24 including, among other things, any of the following:

25 (1) Identification of the school district's strengths and
26 weaknesses in regard to the state priorities described in subdivision
27 (d) of Section 52060, communicated in writing to the school
28 district. This identification shall include a review of effective,
29 evidence-based programs that apply to the school district's goals.

30 (2) Assignment of an academic expert or team of academic
31 experts to assist the school district in identifying and implementing
32 effective programs that are designed to improve the outcomes for
33 all pupil subgroups identified pursuant to Section 52052. The
34 county superintendent of schools may also solicit another school
35 district within the county to act as a partner to the school district
36 in need of technical assistance.

37 (3) Request that the ~~Superintendent assign the~~ California
38 Collaborative for Educational Excellence to provide advice and
39 assistance to the school district.

(b) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the county superintendent of schools shall provide the technical assistance described in subdivision (a) to any school district that fails to improve pupil achievement across more than one state priority described in subdivision (d) of Section 52060 for one or more pupil-subgroup subgroups identified pursuant to Section 52052.

(c) Technical assistance provided pursuant to this section at the request of a school district shall be paid for by the school district requesting the assistance.

SEC. 3. Section 52071.5 of the Education Code is amended to read:

52071.5. (a) If the Superintendent does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a county board of education, or if the county board of education requests technical assistance, the Superintendent shall provide technical assistance, including, among other things, any of the following:

(1) Identification of the county board of education's strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52066, communicated in writing to the county board of education. This identification shall include a review of effective, evidence-based programs that apply to the board's goals.

(2) Assignment of an academic expert or team of academic experts, or *request* the California Collaborative for Educational Excellence established pursuant to Section 52074, to assist the county board of education in identifying and implementing effective programs that are designed to improve the outcomes for all pupil subgroups identified pursuant to Section 52052. The Superintendent may also solicit another county office of education to act as a partner to the county office of education in need of technical assistance.

(b) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the Superintendent shall provide the technical assistance described in subdivision (a) to any county office of education that fails to improve pupil achievement in regard to more than one state priority described in subdivision (d) of Section 52066 for one or more pupil subgroups identified pursuant to Section 52052.

1 (c) Technical assistance provided pursuant to this section at the
2 request of a county board of education shall be paid for by the
3 county board of education receiving assistance.

4 ~~SEC. 2.~~

5 *SEC. 4.* Section 65057 of the Government Code is amended
6 to read:

7 65057. (a) The California Initiative to Advance Precision
8 Medicine is hereby established in the office. In establishing the
9 initiative, the office shall incorporate agreements and partnerships
10 regarding precision medicine entered into by the office prior to
11 January 1, 2016.

12 (b) (1) The office shall develop, implement, and evaluate
13 demonstration projects on precision medicine in collaboration with
14 public, nonprofit, and private entities. A demonstration project
15 may focus on one or more disease areas, and an award of funds
16 under any appropriation of funds to the office for precision
17 medicine shall be based on criteria that include, but are not limited
18 to, the following:

19 (A) The potential for tangible benefit to patients within two to
20 five years, including the likelihood that the study will have an
21 immediate impact on patients.

22 (B) The depth and breadth of data available in the disease focus
23 areas across institutions.

24 (C) The prospects for efficient and effective data integration
25 and analysis.

26 (D) The expertise of potential team members.

27 (E) The resources available for the project outside of the
28 initiative, including the potential for leveraging nonstate funding.

29 (F) The clinical and commercial potential of the project.

30 (G) The potential to reduce health disparities.

31 (H) The potential to scale and leverage multiple electronic health
32 records systems.

33 (I) The potential to develop the use of tools, measurements, and
34 data, including publicly generated and available data.

35 (2) A demonstration project that is selected by the office shall
36 advance greater understanding in at least one of the following
37 areas, or in another area that is determined by the office to be
38 necessary to advance precision medicine:

39 (A) The application of precision medicine to specific disease
40 areas.

- 1 (B) The challenges of system interoperability.
- 2 (C) Economic analysis.
- 3 (D) Standards for sharing data or protocols across institutions.
- 4 (E) The federal and state regulatory environment.
- 5 (F) The clinical environment.
- 6 (G) Challenges relating to data, tools, and infrastructure.
- 7 (H) The protection of privacy and personal health information.
- 8 (I) The potential for reducing health disparities.
- 9 (J) Methods and protocols for patient engagement.
- 10 (3) The office shall develop concrete metrics and goals for
- 11 demonstration projects, monitor their progress, and
- 12 comprehensively evaluate projects upon completion.
- 13 (4) (A) On or before January 1, 2017, and annually thereafter,
- 14 the office shall submit a report to the Legislature that provides an
- 15 update of the demonstration projects selected. Upon completion
- 16 of a demonstration project, the office shall submit an evaluation
- 17 of the demonstration project to the Legislature. A demonstration
- 18 project is deemed complete when it has completed the agreed upon
- 19 tasks and deliverables, and the project funding has been completed.
- 20 (B) A written report made pursuant to subparagraph (A) shall
- 21 be made in compliance with Section 9795.
- 22 (c) The office shall develop an inventory of precision medicine
- 23 assets, including projects, data sets, and experts. In developing the
- 24 inventory, the office shall assemble knowledge across broad disease
- 25 areas. The office shall use the inventory to inform strategic areas
- 26 for the future development of precision medicine-related projects.
- 27 (d) The office may enter into agreements with public entities,
- 28 or with nonprofit or not-for-profit organizations for the purpose
- 29 of jointly administering the programs established under the
- 30 initiative or to administer any provision of this section.
- 31 (e) The office shall create and post on a publicly available
- 32 Internet Web site guidelines for an award of funds made under
- 33 any appropriation of funds to the office for precision medicine.
- 34 The guidelines shall include, but are not limited to, the following:
- 35 (A) Eligibility requirements.
- 36 (B) A competitive, merit-based application process that allows
- 37 public and private academic and nonprofit institutions to submit
- 38 proposals as principal investigators.
- 39 (C) A comprehensive peer-reviewed selection process.
- 40 (D) Requirements regarding the use of awarded funds.

1 (E) Requirements regarding the use and sharing of research data
2 and findings.

3 (F) Requirements for the protection of privacy and personal
4 health information.

5 (f) The office shall solicit public, nonprofit, and private sector
6 input for any additional guidelines for an award of funds made
7 pursuant to this section.

8 (g) The office shall establish standards that require a grant to
9 be subject to an intellectual property agreement that balances the
10 opportunity of the state to benefit from the patents, royalties, and
11 licenses that result from basic research, therapy development, and
12 clinical trials against the need to ensure that the agreement does
13 not unreasonably hinder essential medical research.

14 (h) The office may receive nonstate funds in furtherance of the
15 initiative. “In furtherance of the initiative” means that funds may
16 be used to award additional demonstration projects under the same
17 terms and conditions as state funds in the initiative, held in reserve
18 for follow-on funding of any awardees, or used to fund other
19 nondemonstration project activities in a proportion no greater than
20 20 percent of the total of nonstate funds received over the term of
21 the commitment. The office shall return unexpended nonstate funds
22 to the source before January 1, 2020.

23 (i) Up to 30 percent of any amount appropriated to the office
24 for precision medicine may be held by the office until an equivalent
25 amount of nonstate matching funds is identified and received.
26 Amounts subject to nonstate match may be released in increments
27 as determined by the office.

28 (j) Up to 10 percent of any amount appropriated to the office
29 for precision medicine may be used by the office for administrative
30 costs.

31 (k) The office shall recruit a precision medicine expert selection
32 committee to represent various precision medicine-related skills,
33 such as bioinformatics, statistics, health economics, patient
34 engagement, and genomics. The Legislature may make nominations
35 for the selection committee to the office for consideration.

36 (l) Members of the selection committee shall be deemed to not
37 be interested in any contract, including any award of funds by the
38 committee, pursuant to this section.

1 (m) Prior to the selection committee's deliberative process, the
2 office shall notify the Legislature of the selection of the committee
3 members.

4 (n) The selection committee established in subdivision (k) shall
5 comply with the Bagley-Keene Open Meeting Act (Article 9
6 commencing with Section 11120) of Chapter 1 of Part 1 of
7 Division 3 of Title 2), except during the deliberative process as it
8 relates to reviewing and ranking proposals and making final
9 selections.

10 (o) The selection committee shall report on the justification for
11 selecting the demonstration projects that are awarded funding and
12 provide a list of the demonstration projects that were not selected.
13 This report shall be posted on the Internet Web site created in
14 subdivision (e).

15 (p) Notwithstanding the rulemaking provisions of the
16 Administrative Procedure Act (Chapter 3.5 (commencing with
17 Section 11340) of Part 1 of Division 3 of Title 2), the office may
18 implement or interpret this article without taking any regulatory
19 action.

20 ~~SEC. 3.~~

21 *SEC. 5.* Section 10507.8 of the Public Contract Code is
22 amended to read:

23 10507.8. (a) As provided for in this article, when the University
24 of California determines that it can expect long-term savings
25 through the use of life-cycle cost methodology, the use of more
26 sustainable goods and materials, and reduced administrative costs,
27 the lowest responsible bidder may be selected on the basis of the
28 best value to the university. In order to implement this method of
29 selection, the Regents of the University of California shall adopt
30 and publish policies and guidelines for evaluating bidders that
31 ensure that best value selections by the university are conducted
32 in a fair and impartial manner. These policies and guidelines shall
33 conform to the requirements of subdivisions (c) and (d) and shall
34 be applicable to the university when using best value as the bid
35 evaluation methodology.

36 (b) For the purposes of this section, the following definitions
37 apply:

38 (1) "Best value" means the most advantageous balance of price,
39 quality, service, performance, and other elements, as defined by
40 the university, achieved through methods in accordance with this

1 section and determined by objective performance criteria that may
2 include price, features, long-term functionality, life-cycle costs,
3 overall sustainability, and required services.

4 (2) “Best value agreement” means an agreement entered into
5 pursuant to the provisions of this section.

6 (3) “Best value awardee” means the lowest responsible bidder
7 or bidders that are awarded an agreement for goods, materials, or
8 services that was awarded through the use of best value for the bid
9 evaluation methodology.

10 (4) “Best value criteria” means those criteria set forth in
11 subdivision (d).

12 (5) “University” means all current campuses and locations of
13 the University of California, including the medical centers, the
14 national laboratories, and any future University of California
15 campuses and locations.

16 (c) (1) The university shall consider all of the following when
17 adopting policies and guidelines pursuant to subdivision (a):

18 (A) Price and service proposals that reduce the university’s
19 overall operating costs.

20 (B) Supply and material standards that support the university’s
21 strategic sourcing initiatives.

22 (C) A procedure for bid protest and resolution.

23 (2) The university shall award a best value agreement as follows:

24 (A) The university shall evaluate bidders based solely upon the
25 best value criteria set forth in the solicitation documents.
26 Solicitation for bids shall describe the best value criteria that the
27 university will consider in evaluating the bidders by overall
28 category and by specific attributes.

29 (B) The university shall award the agreement to the lowest
30 responsible bidder or bidders whose bid or bids are determined by
31 the university to be the best value in terms of price, quality, service,
32 and performance, and that meet the university’s requirements.

33 (C) Bid participants that are not awarded a best value agreement
34 shall be notified in writing at the end of the agreement award
35 process.

36 (d) For the purposes of this section, the university may take into
37 consideration any of the following best value criteria when
38 awarding a best value agreement for goods, materials, and services:

39 (1) The total cost to the university of its use or consumption of
40 goods, materials, and services.

1 (2) The operational cost or benefit incurred by the university as
2 a result of a contract award.

3 (3) The added value to the university, as defined in the request
4 for proposal, of vendor-added services.

5 (4) The quality and effectiveness of goods, materials, and
6 services.

7 (5) The use of more sustainable goods and materials in the
8 manufacturing of the goods and materials and the packaging of
9 these products.

10 (6) The reliability and timeliness of delivery and installation.

11 (7) The terms and conditions of product warranties, maintenance,
12 and vendor guarantees.

13 (8) The vendor's quality assurance, continuous improvement,
14 and business resumption programs and their benefit to the
15 university.

16 (9) The vendor's experience with the timely provision of goods,
17 materials, and services.

18 (10) The consistency of quality and availability of the vendor's
19 proposed supplies, materials, and services with the university's
20 overall procurement program.

21 (11) The economic benefits to the local community, including,
22 but not limited to, job creation or retention and the support of small
23 and local businesses.

24 (e) The university shall ensure that all businesses have a fair
25 and equitable opportunity to compete for, and participate in, the
26 university best value bids and shall also ensure that discrimination
27 in the award and performance of the agreement does not occur on
28 the basis of gender, marital status, ancestry, medical condition, or
29 any characteristic listed or defined in Section 11135 of the
30 Government Code, or retaliation for having filed a discrimination
31 complaint or protest in the performance of university contractual
32 obligations.

33 (f) (1) On or before July 1, 2016, the University of California
34 shall provide the Legislative Analyst's Office with a list of the
35 policies and procedures adopted pursuant to subdivision (a). In
36 addition, the university shall also collect and provide the following
37 information to the Legislative Analyst's Office for each contract
38 involving an expenditure of more than one hundred thousand
39 dollars (\$100,000) for goods, materials, or services that was entered
40 into on or after the effective date of this section:

1 (A) Whether the contract was awarded to the lowest responsible
2 bidder or using best value.

3 (B) A description of the products, commodities, or services as
4 defined in the bid solicitation.

5 (C) The names of the awardee or awardees of the agreement or
6 agreements.

7 (D) The actual volume resulting from the agreements, or
8 estimated volume if the agreements are less than one year old, of
9 all purchases.

10 (E) A description of any written bid protest or protests
11 concerning an aspect of the solicitation, bid, or award of the
12 agreement, including the resolution of the protest.

13 (F) For each contract awarded using best value, the criteria used
14 to evaluate the bids, as well as a summary of the rationale for
15 awarding the contract.

16 (G) For each contract awarded using best value, a summary of
17 any additional economic benefit other than the price of the contract,
18 including an explanation of whether those benefits were realized
19 as expected.

20 (H) For each contract awarded using best value, the university
21 shall identify one or more comparable contracts awarded using
22 the traditional lowest responsible bidder method, including, but
23 not limited to, contracts awarded prior to the adoption of the best
24 value acquisition policies.

25 (2) On or before February 1, 2018, the Legislative Analyst shall
26 report to the Legislature on the use of best value procurement by
27 the University of California. The Legislative Analyst shall use the
28 information provided by the university to report all of the
29 following:

30 (A) An assessment of any benefits or disadvantages of best
31 value acquisition as compared to bids awarded to the lowest
32 responsible bidder.

33 (B) An assessment of whether the use of best value procurement
34 has led to a difference in the number of disputes as compared to
35 contracts awarded using the traditional lowest responsible bidder
36 method.

37 (C) An assessment of the policies adopted by the university
38 pursuant to subdivision (a), as well as an assessment of the
39 performance criteria used by the university to evaluate the bids
40 and the effectiveness of the methodology.

1 (D) A comparison of the overall cost of contracts let under best
2 value acquisition pursuant to this section to similar contracts let
3 under traditional low bid procurement practices.

4 (E) Recommendations as to whether the best value at lowest
5 cost acquisition procurement authority should be continued.

6 (g) This section applies solely to the procurement of goods,
7 materials, or services and shall not apply to construction contracts.

8 (h) This section shall remain in effect only until January 1, 2019,
9 and as of that date is repealed.

10 (i) Except as otherwise provided in this article, this article is
11 not intended to change in any manner any guideline, criteria,
12 procedure, or requirement of the Regents of the University of
13 California to let any contract for goods, materials, or services to
14 the lowest responsible bidder meeting certain specifications or to
15 reject all bids.

16 ~~SEC. 4.~~

17 *SEC. 6.* Section 20651.7 of the Public Contract Code is
18 amended to read:

19 20651.7. (a) For the purposes of bid evaluation and selection
20 pursuant to subdivision (a) of Section 20651, when a community
21 college district determines that it can expect long-term savings
22 through the use of life-cycle cost methodology, the use of more
23 sustainable goods and materials, and reduced administrative costs,
24 the community college district may provide for the selection of
25 the lowest responsible bidder on the basis of best value pursuant
26 to policies and procedures adopted by the governing board in
27 accordance with this section.

28 (b) For purposes of this section, “best value” means the most
29 advantageous balance of price, quality, service, performance, and
30 other elements, as defined by the governing board, achieved
31 through methods in accordance with this section and determined
32 by objective performance criteria that may include price, features,
33 long-term functionality, life-cycle costs, overall sustainability, and
34 required services.

35 (c) A community college district shall consider all of the
36 following when adopting best value policies pursuant to subdivision
37 (a):

38 (1) Price and service level proposals that reduce the district’s
39 overall operating costs, including end-of-life expenditures and
40 impact.

1 (2) Equipment, services, supplies, and materials standards that
2 support the community college district's strategic acquisition and
3 management program direction.

4 (3) A procedure for protest and resolution.

5 (d) A community college district may consider any of the
6 following factors if adopting policies and procedures pursuant to
7 subdivision (c):

8 (1) The total cost to the community college district of its
9 purchase, use, and consumption of equipment, supplies, and
10 materials.

11 (2) The operational cost or benefit incurred by the community
12 college district as a result of a contract award.

13 (3) The added value to the community college district, as defined
14 in the request for proposal, of vendor-added services.

15 (4) The quality and effectiveness of equipment, supplies,
16 materials, and services.

17 (5) The reliability of delivery and installation schedules.

18 (6) The terms and conditions of product warranties and vendor
19 guarantees.

20 (7) The financial stability of the vendor.

21 (8) The vendor's quality assurance program.

22 (9) The vendor's experience with the provisions of equipment,
23 supplies, materials, and services within the institutional
24 marketplace.

25 (10) The consistency of the vendor's proposed equipment,
26 supplies, materials, and services with the district's overall supplies
27 and materials procurement program.

28 (11) The economic benefits to the local community, including,
29 but not limited to, job creation and retention.

30 (12) The environmental benefits to the local community.

31 (e) A community college district awarding a contract under this
32 section shall award a contract to the lowest responsible bidder
33 whose proposal is determined, in writing by the community college
34 district, to be the best value to the community college district based
35 solely on the criteria set forth in the request for proposal.

36 (f) The governing board of a community college district shall
37 issue a written notice of intent to award supporting its contract
38 award and stating in detail the basis of the award. The notice of
39 the intent to award and the contract file must be sufficient to satisfy
40 an external audit.

(g) The governing board of a community college district shall publicly announce its award, identifying the bidder to which the award is made, the price proposal of the contractor awarded the contract, and the overall combined rating on the request for proposal evaluation factors. The announcement shall also include the ranking of the contractor awarded the contract in relation to all other responsive bidders and their respective price proposals and summary of the rationale for the contract award.

(h) The community college district shall ensure that all businesses have a fair and equitable opportunity to compete for, and participate in, district contracts and shall also ensure that discrimination, as described in subdivision (e) of Section 12751.3 of the Public Utilities Code, in the award and performance of contracts does not occur.

(i) (1) If a community college district elects to purchase equipment, materials, supplies, and services by contract, let in accordance with this section, the community college district shall submit the following information to the Chancellor of the California Community Colleges on or before January 1, 2016:

(A) The community college district's policies adopted pursuant to subdivision (a).

(B) An annual list of district procurements for contracts with a brief description of the contract, the winning bid, the cost, and if the contract was done under best value acquisition policies.

(C) For a contract awarded under the best value acquisition policies, the bid announcement announcing the bidder to which the award was made, including that bidder's scoring rating compared to other bidders, the winning contractor's price proposal, the overall combined rating on the request for proposal evaluation factors, a description of the products, commodities, or services sought, and a summary of the rationale for the contract award.

(D) For each contract awarded using the best value acquisition policies at least one bid award announcement for a comparably priced contract using the traditional lowest responsible bidder process that specifies the bidder to which the contract was awarded, the amount of the award, and the request for bid for that contract that includes a description of the products, commodities, or services sought for at least one comparably sized contract, to the best value contract being let, awarded pursuant to the traditional lowest responsible bidder process including contracts awarded by the

1 district in the three years prior to the adoption of best value
2 acquisition policies by the district.

3 (E) For contracts awarded using best value, a summary of any
4 additional economic benefit other than the price of the contract
5 obtained, including an explanation of whether these benefits were
6 realized as expected.

7 (F) The total number of bid protests or protests concerning an
8 aspect of the solicitation, bid, or award of the agreement since the
9 district adopted policies pursuant to subdivision (a) and the number
10 of those protests that occurred under best value.

11 (G) A description of any written bid protest or protests
12 concerning an aspect of the solicitation, bid, or award of the
13 agreement including the resolution of the protest for any contract
14 submitted pursuant to this section.

15 (2) The Legislative Analyst shall request the chancellor to
16 provide the information specified in paragraph (1) to the Legislative
17 Analyst on or before July 1, 2016. On or before February 1, 2018,
18 the Legislative Analyst shall report to the Legislature on the use
19 of competitive means for obtaining best value procurement by
20 community college districts. The Legislative Analyst shall use the
21 information provided by the chancellor to report all of the
22 following:

23 (A) A summary of the overall benefits of best value acquisition.

24 (B) A comparison of the overall cost of contracts let under best
25 value acquisition pursuant to this section to similar contracts let
26 under traditional low bid procurement practices.

27 (C) An assessment of any benefits or disadvantages of best value
28 procurement practices as compared to bids awarded to the lowest
29 responsible bidder.

30 (D) An assessment of whether the use of best value procurement
31 has led to a difference in the number of disputes as compared to
32 contracts awarded using the traditional lowest responsible bidder
33 method.

34 (E) An assessment of the policies adopted by the community
35 college districts pursuant to subdivision (a) as well as an assessment
36 of the overall performance criteria used to evaluate the bids and
37 the effectiveness of the methodology.

38 (F) Recommendations as to whether the best value at lowest
39 cost acquisition procurement authority should be continued.

(j) This section shall remain in effect only until January 1, 2019, and as of that date is repealed.

~~SEC. 5.~~

SEC. 7. Section 34 of Chapter 24 of the Statutes of 2016 is amended to read:

Sec. 34. (a) The sum of three million dollars (\$3,000,000) is hereby appropriated from the General Fund to the California State Library for allocation pursuant to this act.

(b) (1) On or before September 1, 2017, the California State Library shall submit a report to the Director of Finance and the Legislature about the use of the moneys described in subdivision (a). The report shall include all of the following:

(A) A summary of the grants awarded, including grant amounts.

(B) A description of the projects.

(C) A description of any additional funding benefiting the projects.

(D) Information about the progress of grantees toward establishing regional or statewide E-resource platforms.

(E) Information, where applicable, about the utilization of shared E-resources resulting from the grants.

(2) The report submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

~~SEC. 6.~~

SEC. 8. Section 39 of Chapter 29 of the Statutes of 2016 is amended to read:

Sec. 39. (a) (1) For the 2016–17 fiscal year, the sum of eighteen million dollars (\$18,000,000) is hereby appropriated from the General Fund to the State Department of Education for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction. The Superintendent of Public Instruction shall allocate these funds to provide grants to local educational agencies for dropout and truancy prevention programs pursuant to legislation enacted in the 2015–16 Regular Session. These funds are available for encumbrance through the 2018–19 fiscal year.

(2) Of the total amount appropriated pursuant to paragraph (1), ~~the department~~ *State Department of Education* may use up to three hundred thousand dollars (\$300,000) to contract with a local educational agency for the purpose of conducting regional

1 meetings, training, and other technical assistance activities as
2 needed to support the grantees receiving moneys for dropout and
3 truancy prevention programs pursuant to legislation enacted in the
4 2015–16 Regular Session and pursuant to the development of an
5 expenditure plan. These funds shall be available for expenditure
6 no sooner than 30 days after the expenditure plan is provided to
7 the Joint Legislative Budget Committee.

8 (b) For purposes of making the computations required by Section
9 8 of Article XVI of the California Constitution, the appropriations
10 made by subdivision (a) shall be deemed to be “General Fund
11 revenues appropriated for school districts,” as defined in
12 subdivision (c) of Section 41202 of the Education Code, for the
13 2015–16 fiscal year, and included within the “total allocations to
14 school districts and community college districts from General Fund
15 proceeds of taxes appropriated pursuant to Article XIII B,” as
16 defined in subdivision (e) of Section 41202 of the Education Code,
17 for the 2015–16 fiscal year.

18 *SEC. 9. Section 46 of Chapter 29 of the Statutes of 2016 is*
19 *amended to read:*

20 Sec. 46. (a) (1) Commencing with the 2016–17 fiscal year,
21 the California Collaborative for Educational Excellence shall use
22 no less than twenty million dollars (\$20,000,000) of the total
23 allocated in this section to establish a statewide process to provide
24 professional development training to school districts, county offices
25 of education, and charter schools for the purpose of successfully
26 utilizing the evaluation rubrics adopted by the state board pursuant
27 to Section 52064.5 of the Education Code and the Local Control
28 and Accountability Plan and Annual Update templates adopted by
29 the State Board of Education pursuant to Section 52064 of the
30 Education Code for use by a school district, county superintendent
31 of schools, or charter school.

32 (2) School districts, county offices of education, and charter
33 schools that participate in professional development training are
34 encouraged to include in the training all stakeholders that are
35 involved in the development of a local control and accountability
36 plan, including, but not limited to, teachers, principals,
37 administrators, other school personnel, local bargaining units of
38 the school district or county office of education, parents, pupils,
39 and members of the community, as required pursuant to subdivision
40 (e) of Section 47606.5 of, subdivision (g) of Section 52060 of,

1 Section 52062 of, subdivision (g) of Section 52066 of, and Section
2 52068 of, the Education Code.

3 (b) The professional development training shall include, but
4 shall not be limited to, all of the following:

5 (1) Information on how the evaluation rubrics are used for the
6 development and implementation of the local control and
7 accountability plans required pursuant to Sections 52060 and 52066
8 of, and the requirements of subparagraph (A) of paragraph (5) of
9 subdivision (b) of Section 47605 and subparagraph (A) of
10 paragraph (5) of subdivision (b) of Section 47605.6 of, the
11 Education Code.

12 (2) Information on how the evaluation rubrics will be used to
13 improve pupil outcomes, with emphasis on closing the achievement
14 gap for unduplicated pupils, as defined in Section 42238.02 of,
15 and the pupil subgroups identified in Section 52052 of, the
16 Education Code.

17 (3) The role of statewide and local data in using the evaluation
18 rubrics to inform the development of local control and
19 accountability plans and to communicate with stakeholders.

20 (4) Information on how the evaluation rubrics will be used, in
21 conjunction with local control and accountability plans, to establish
22 a system of continuous improvement, as identified in subdivision
23 (c) of Section 52064.5 of the Education Code.

24 (c) The California Collaborative for Educational Excellence
25 shall ensure that the professional development training is provided
26 in each region of the state and is available to all school districts,
27 county offices of education, and charter schools. The California
28 Collaborative for Educational Excellence may contract with one
29 or more entities to provide the professional development training.

30 (d) (1) The governing board of the California Collaborative for
31 Educational Excellence shall submit an implementation plan to
32 the relevant policy and fiscal committees of the Legislature, the
33 Director of Finance, and the Legislative Analyst's Office within
34 30 days of the State Board of Education's adoption of the
35 evaluation rubrics. The plan shall include relevant expenditure and
36 provider information, and a timeline to commence training by no
37 later than October 15, 2016. *The plan shall detail the*
38 *implementation timeline and budget for the program, including*
39 *operating expenses for California Collaborative for Educational*
40 *Excellence staff related to this work and include funding*

1 *appropriated in this section and in provision 9 of Item 6100-488*
2 *of Sec. 2.00 of the Budget Act of 2016 (Ch. 23, Stats. 2016), as*
3 *appropriate. Funds shall not be expended pursuant to the plan*
4 *before the implementation plan is approved by the Department of*
5 *Finance. Any subsequent plan updates shall be subject to the*
6 *approval of the Department of Finance.*

7 (2) The implementation plan shall also include information on
8 how the California Collaborative for Educational Excellence will
9 determine the appropriate sequence of which local educational
10 agencies will receive the professional development training.

11 (e) (1) During the 2017–18 fiscal year, the California
12 Collaborative for Educational Excellence shall conduct a survey
13 of school districts, county offices of education, and charter schools
14 on how they used the evaluation rubrics to develop and implement
15 their most recent local control and accountability plan, or met the
16 requirements of subparagraph (A) of paragraph (5) of subdivision
17 (b) of Section 47605 of, or subparagraph (A) of paragraph (5) of
18 subdivision (b) of Section 47605.6 of, the Education Code, as
19 applicable.

20 (2) The California Collaborative for Educational Excellence
21 may contract with one or more entities to develop, administer,
22 monitor, and analyze the survey.

23 (f) (1) During the 2016–17 and 2017–18 fiscal years, the
24 California Collaborative for Educational Excellence shall
25 implement a pilot program that will inform its long-term efforts
26 to advise and assist school districts, county superintendents of
27 schools, and charter schools in improving pupil outcomes pursuant
28 to Section 52074 of the Education Code.

29 (2) It is the intent of the Legislature that this pilot program be
30 used to advise the governing board of the California Collaborative
31 for Educational Excellence in its efforts to provide research-based,
32 quality advice and assistance to local educational agencies. Nothing
33 in this section prohibits the California Collaborative for Educational
34 Excellence from continuing to meet the requirements of Section
35 52074 of the Education Code in the 2016–17 fiscal year or in future
36 fiscal years.

37 (g) On or before ~~August~~ *the earlier of October 15, 2016, or the*
38 *10th day after the next scheduled meeting of the governing board*
39 *of the California Collaborative for Educational Excellence*
40 *following the effective date of Assembly Bill 1624 of the 2015–16*

1 *Regular Session*, the governing board of the California
2 Collaborative for Educational Excellence shall submit a plan for
3 implementing the pilot program to the relevant policy and fiscal
4 committees of the Legislature, the Director of Finance, and the
5 Legislative Analyst's Office. *The plan shall detail the*
6 *implementation timeline and budget for the program, including*
7 *operating expenses for California Collaborative for Educational*
8 *Excellence staff related to this work and include funding*
9 *appropriated in this section and in provision 9 of Item 6100-488*
10 *of Sec. 2.00 of the Budget Act of 2016 (Ch. 23, Stats. 2016), as*
11 *appropriate. Funds shall not be expended pursuant to the plan*
12 *before the implementation plan is approved by the Department of*
13 *Finance. Any subsequent plan updates shall be subject to the*
14 *approval of the Department of Finance.* At a minimum, the plan
15 shall describe all of the following:

16 (1) The goals of the pilot program, including, but not limited
17 to, improving pupil outcomes related to the state priorities
18 identified in Sections 52060 and 52066 of the Education Code.

19 (2) The major implementation activities of the pilot program
20 and the means for assessing whether the goals are met.

21 (3) An implementation timeline and a program budget, with
22 anticipated expenditures and funding sources.

23 (h) (1) The California Collaborative for Educational Excellence,
24 after consulting with the Superintendent of Public Instruction, shall
25 assist school districts, county offices of education, and charter
26 schools in the pilot program.

27 (2) To the extent possible, the pilot program shall include school
28 districts, county offices of education, and charter schools from
29 urban, suburban, and rural areas representing all regions of the
30 state, as well as those with enrollment of unduplicated pupils, as
31 defined in Section 42238.02 of the Education Code, and the pupil
32 subgroups identified in Section 52052 of the Education Code.

33 (3) Participation by a local educational agency in the pilot
34 program is voluntary and, notwithstanding Sections 52071 and
35 52071.5 of the Education Code, participating local educational
36 agencies shall not pay for any assistance provided pursuant to the
37 pilot program.

38 (i) On or before November 1, 2018, the governing board of the
39 California Collaborative for Educational Excellence shall report
40 to the relevant policy and fiscal committees of the Legislature, the

1 Director of Finance, and the Legislative Analyst’s Office about
2 lessons learned from the pilot program and its implications for the
3 ongoing work of the California Collaborative for Educational
4 Excellence.

5 (j) The sum of twenty-four million dollars (\$24,000,000) is
6 hereby appropriated from the General Fund to the State Department
7 of Education for transfer by the Controller to Section A of the State
8 School Fund for allocation by the Superintendent of Public
9 Instruction to the Riverside County Office of Education to support
10 the California Collaborative for Educational Excellence for
11 purposes of this section. These funds are available for encumbrance
12 through the 2018–19 fiscal year.

13 (k) For purposes of making the computations required by Section
14 8 of Article XVI of the California Constitution, the appropriation
15 made by this section shall be deemed to be “General Fund revenues
16 appropriated for school districts,” as defined in subdivision (c) of
17 Section 41202 of the Education Code, for the 2015–16 fiscal year,
18 and included within the “total allocations to school districts and
19 community college districts from General Fund proceeds of taxes
20 appropriated pursuant to Article XIII B,” as defined in subdivision
21 (e) of Section 41202 of the Education Code, for the 2015–16 fiscal
22 year.

23 ~~SEC. 7.~~

24 *SEC. 10.* This act is a bill providing for appropriations related
25 to the Budget Bill within the meaning of subdivision (e) of Section
26 12 of Article IV of the California Constitution, has been identified
27 as related to the budget in the Budget Bill, and shall take effect
28 immediately.